



8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) Criminal No. 07CR3388-JAH
11 Plaintiff,) FINDINGS AND RECOMMENDATION OF
12 v.) THE MAGISTRATE JUDGE UPON A
13 DAVID MIRELES-PAREDES,) PLEA OF GUILTY TO A VIOLATION
14 Defendant.) OF 8 U.S.C. SECTION 1326 (a)
15) WITH WAIVER OF OBJECTIONS AND
16) THE PRESENTENCE REPORT

17 Upon Defendant's request to enter a plea of Guilty pursuant
18 to Rule 11 of the Federal Rules of Criminal Procedure, this
19 matter was referred to the Magistrate Judge by the District
20 Judge, with the written consents of the Defendant, counsel for
21 the Defendant, and counsel for the United States.

22 Thereafter, the matter came on for a hearing on Defendant's
23 plea of guilty, in full compliance with Rule 11, Federal Rules of
24 Criminal Procedure, before the Magistrate Judge, in open court
and on the record.

25 In consideration of that hearing and the allocution made by
26 the Defendant under oath on the record and in the presence of
27 counsel, and the remarks of the Assistant United States Attorney,

28 I make the following FINDINGS - that the Defendant

1 removed from the United States after **SEPTEMBER 26,**
2
3 **2006.**

4 I therefore RECOMMEND that the District Judge accept the
5 Defendant's plea of guilty.

6 The sentencing hearing will be before United States District
7 **Judge JOHN A. HOUSTON, on JANUARY 14, 2008, at 10:30 AM.**

8 Objections to these Findings and Recommendation were waived
9 by the parties at the hearing. The parties have also waived the
preparation of the Presentence report in this case.

10 Dated: 1/3/08


11 Honorable JAN M. ADLER
12 United States Magistrate Judge

13 Copies to:

14 Hon. JOHN A. HOUSTON
15 U.S. District Judge

16 United States Attorney

17 SCOTT PACTOR
18 Counsel for Defendant

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